



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, April 3, 2013 at 1:30 p.m.
PLACE:	861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware
MINUTES APPROVED:	May 1, 2013

MEMBERS PRESENT

Kenneth Freemark, RA, Professional Member, President
Kevin Wilson, RA, Professional Member
Peter H. Jennings, RA, Professional Member
Richard Wertz, RA, Professional Member
Joseph Schorah, Public Member, Secretary
John Mateyko, RA, Professional Member
Elizabeth Happoldt, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Patricia Davis-Oliva, Deputy Attorney General
Kay Warren, Deputy Director, Division of Professional Regulation
Meaghan Jerman, Administrative Specialist II

ABSENT

Brian Lewis, Public Member
Prameela Kaza, Public Member

OTHERS PRESENT

Dave Pedersen, RA, Delaware Technical & Community College
Nancy Payne, DE Chapter of AIA
Philip Franz, RA

Call to Order

Mr. Freemark called the meeting to order at 1:40 p.m.

Review and Approval of Minutes

The Board reviewed the minutes of the March 6, 2013 meeting. Mr. Jennings made a motion to accept the minutes as presented, seconded by Mr. Mateyko. The motion passed unanimously.

The minutes from the January 30, 2013 Subcommittee meeting were reviewed. Mr. Jennings made a motion to approve the subcommittee minutes as presented, seconded by Mr. Mateyko. The motion passed by majority with non-subcommittee members abstaining from the vote.

Unfinished Business

Discussion on Status of Delaware Tech Service Learning Project

The Board reviewed the final Memorandum of Understanding (MOU) provided to the Board by Deputy Attorney General Andrew Kerber. The Board discussed the various components of the MOU and confirmed that all of the issues that the Board previously presented to legal counsel were addressed and included within the agreement.

Mr. Wertz made a motion to accept the MOU with Delaware Tech outlining the parameters of their Service Learning Project as presented, seconded by Mr. Jennings. The motion carried unanimously.

Discussion of Possible Regulation Changes

Ms. Davis-Oliva explained that the Division had some concern regarding the Rules and Regulation changes that were made in February 2012. Ms. Davis-Oliva explained that some of the NCARB model language that was adopted may need additional clarifiers within the Board's regulations. The Division's Operations Department looked into the proration of CE for new licensees that had been discussed at the March Board meeting and found that there was not a fair way to establish a proration given the Board's calendar year schedule for CE. Ms. Davis-Oliva inquired about the removal of the requirement of the waiver of the Intern Development program, which was removed from the regulations in May 2012 yet maintained as an application requirement for licensees applying by Direct Application. Mr. Jennings explained that this form is consistent with what other states are doing and if the form was removed from the regulations it may have been in error, however, Board members will review NCARB national standards to ensure this requirement is not covered there. Ms. Davis-Oliva will revisit the continuing education concerns with the Board at the May meeting. The Board discussed adding an Emeritus status to the regulations. Ms. Davis-Oliva will prepare some language on the emeritus status and will review it with the Board at the May meeting.

Status of Complaints

The Board reviewed the status of the current complaints. Ms. Jerman provided the Board with the information requested at the previous meeting outlining the important dates noted for each complaint.

Complaint 07-01-12 has been closed by an Investigator.

Complaint 07-02-12 has been forwarded to the Attorney General's Office.

Complaint 07-04-11 has been closed by the Attorney General's Office.

New Business

New Complaints Assigned to a Contact Person

None

Ratification of Certificate of Authorization Applications

Mr. Schorah made a motion, seconded by Ms. Happoldt, to ratify the certificate of authorization issued to Powers Brown Architecture Holdings and Klein and Hoffman, Inc. The motion carried unanimously.

Ratification of Reciprocity Applications – NCARB Certificate

Mr. Schorah made a motion, seconded by Mr. Wilson, to ratify the listing of issued licenses to NCARB Certified architects by reciprocity. The motion carried unanimously.

Merrick Lentz
Kevin Coppedge

William Cleaveland

Timothy Shremshock

Review of Reciprocity Applications by NCARB

David Cannon

Mr. Jennings reviewed Mr. Cannon's application. Mr. Jennings explained Mr. Cannon has a letter of reprimand in Texas for issuing documents without the expiration date on their seal. Mr. Jennings confirmed that Mr. Cannon meets all the requirements for licensure and disclosed the discipline on his application. Mr. Jennings recommended that Mr. Cannon be approved for licensure, seconded by Mr. Schorah. The motion passed unanimously.

Kenneth Fox

Mr. Wilson reviewed Mr. Fox's application. Mr. Fox received discipline in New Jersey for signing and sealing documents that were not prepared under his supervision. Mr. Wilson stated that Mr. Fox did not disclose this discipline on his application. Mr. Schorah made a motion to deny Mr. Fox's application based on 24 Del. C. § 307(c)(2) which permits the Board to refuse or reject an applicant who has "misstated or misrepresented a fact in connection with an application", seconded by Mr. Wilson. The motion carried unanimously.

Review of Re-Applications by NCARB

Gary Dunlap

Mr. Jennings reviewed Mr. Dunlap's application. Mr. Jennings stated that the application does meet all the requirements for licensure and Mr. Dunlap has completed all Continuing Education. Mr. Jennings made a motion to approve Mr. Dunlap's application, seconded by Mr. Schorah. The motion carried unanimously.

Review of Applications to sit for A.R.E. Exam

Christopher Bowen

Mr. Wertz reviewed Mr. Bowen's application to sit for the A.R.E. Exam. Mr. Wertz states Mr. Bowen has met all requirements for the exam. Mr. Wertz made a motion to approve Mr. Bowen's application to sit for the A.R.E., seconded by Ms. Happoldt. The motion passed unanimously.

Oscar Enderica

Mr. Wertz reviewed the application of Mr. Enderica. Mr. Wertz explained that Mr. Enderica has a Bachelors of Architecture from Catholic University of Santiago de Guayaquil. Mr. Wertz stated he does not believe this is a NAAB accredited program, however Mr. Enderica does have certification from NCARB that he has met their education and training standards. Mr. Jennings suggested obtaining the evaluation of Mr. Enderica's education from NCARB so that the Board may review it. Mr. Jennings made a motion to table Mr. Enderica's application pending receipt of additional information from NCARB detailing their evaluation of his education and training, seconded by Mr. Wertz. The motion carried unanimously.

Discussion of NCARB Regional Spring Meeting

Mr. Jennings provided an overview of the NCARB Regional Spring meeting which he attended to the Board. Mr. Jennings shared that there was a preliminary overview of the regulation changes that will be further discussed at the annual meeting in June. Mr. Jennings explained that there is a new inter-recognition agreement with Canada as they have made changes to the way that they license and a new draft was created to acknowledge this. The Board will have to re-adopt this when it passes. Mr. Jennings informed the Board that he had numerous conversations regarding the Delaware Tech matter at the regional meeting. Mr. Jennings stated that many states shared that they had schools that completed similar projects but that the Board's recognized they were student projects. Mr. Jennings

stated that he came back from meeting feeling comfortable with the decision that the Board made with respect to Delaware Tech. Mr. Jennings explained that our region is the only region without part time paid staff and this has resulted in volunteer officers coordinating meetings on their free time. NCARB will be trying an experiment by having the regional meeting all meet together and NCARB will pay for at least one person to attend the meeting. This will relieve money from the regional budget to facilitate the hiring of a regional staff person who could assist in meeting preparation.

Other Business Before the Board (for discussion only)

Mr. Schorah inquired about the effect of Building Information Models (BIM) drawings and the future challenges that may be encountered by the Board on this matter. Mr. Schorah stated that the Board may need to begin looking into this matter as the construction industry is moving forward with BIM. Board members explained BIM is a new tool that is a system for integrating the entire design and construction process with all members of the team. It compiles all documents in one place and has a far reaching effect. Mr. Wilson explained that he feels despite the many individuals that have involvement on the BIM model, someone needs to take ultimate responsibility for sealing it and overseeing the entire process. Mr. Wilson suggested bringing this topic up at the Annual NCARB Meeting.

Ms. Happoldt expressed concern with the Board Member application as she feels it asks inappropriate questions such as an individual's political affiliation. The Board discussed that political affiliation is a new question within the application. Kay Warren explained that the application is the Governor's Office process and not something that the Board can control, however Ms. Warren stated that she believed the Governor's Office would be open to feedback on the matter. Ms. Davis-Oliva shared that the Board members are considered Honorary State Officials and as such are governed by the Public Integrity Act and that is likely where the questions are coming from. Ms. Davis-Oliva informed the Board of the Public Integrity Commission where Board members may contact and speak with someone about their concerns. Ms. Davis-Oliva will provide a copy of the Public Integrity Act for the Board to review at the May meeting.

Ms. Warren informed the Board that Senator Bushweller has agreed to sponsor the Board's bill, along with Representative Ed Osienski. Ms. Warren explained that they are out of Session currently, but she anticipates when they return the bill will be ready to be introduced.

Mr. Jennings provided a hand out for the Board to review that highlighted the enrollment in architectural programs around the country. Mr. Jennings reviewed the statistics with the Board. Mr. Jennings stated that the significance from this document is that it is apparent that a lot of people are not going into architectural schools.

Ms. Jerman explained that the Board received an inquiry if the Board would accept AIA Virtual Conventions as an acceptable CE program. The Board discussed and agreed that as long as the program was an accredited HSW program that it would be accepted.

Public Comment

There was no public comment.

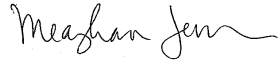
Next Scheduled Meeting

The next meeting will be held on May 1, 2013 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

With no further business before the board, Mr. Schorah made a motion to adjourn the public meeting, seconded by Mr. Wilson. The motion carried unanimously. The meeting adjourned at 3:02 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Meaghan Jerman".

Meaghan Jerman
Administrative Specialist II